



Joint XXIV International Grassland and XI International Rangeland Congress Kenya 2021

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Land Conflicts in Rangeland Management: Land Court Cases in Kalatnaderi County of Iran

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Abstract

Land conflicts are always an important problem in natural resources management, especially in developing countries with no cadastral maps, such as Iran. It takes much of the time of the Departments of Natural Resources and Watershed Management in Iran, to deal with such conflicts. Therefore, it is necessary and essential to investigate on land conflicts between the Departments and other stakeholders. From the Government's point of view, lands are nationalized (based on Iran's Nationalization of Forests Act, approved on 17/01/1963) or exceptions (other lands: urban, rural, agricultural, personal, industrial, etc.). Based on the surveys, a number of 551 land court cases, with totally 2387 hectares, are recorded because of land disputes and complaints between people and the Department of Natural Resources and Watershed Management of Kalatnaderi County, Razavi Khorasan Province, Iran, at related court's Single-Clause Commission (SCC), during 6118 days. The data highlights that 94% of the cases were claimed by men and only 6% by women. However, 60% of the cases were received judgments, where 69% of the final votes have been issued in favor of the Department as a litigant. In other words, more than two-thirds of the votes have considered those disputed lands as nationalized. More examinations reveal that a court case was averagely formed at SCC every 11 days with about four hectares, but a SCC decision was issued every 15 days. Furthermore, the average time for a decision is estimated at 1246 days. Although they have had a long time to come to a conclusion, the number of land cases is decreasing. However, social-rangelands-Department conflicts are yet remained because of many factors such as no strongly established cadasters, the possibility of mistake in identifying national lands from the agricultural, low familiarity of the Department's expert in identifying national lands, and low environmental knowledge of judges. Nevertheless, some strategies can be taken to resolving land conflicts. Producing cadastral maps, for example, prevent destruction, depletion and illegal possession of natural landscapes by powerful individuals or institutions. On the other hand, assigning a particular environmental informed law branch/court for land dispute cases can limit greediness, covetousness, and cupidity. The results expose that most of Iran's natural habitats especially rangelands are annually facing many risks. Hence, Iran's government conducts management of all-natural lands, it needs comprehensive cadastral maps and legal supportive bodies to implement effectively and efficiently preservation and conservation activities.

Keywords: Conflict Resolution; Social Conflicts; Land Complaints; Judicial Cases; Law Enforcement.